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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/620,617	07/21/2000	Terry A. Smith	10991929-1	4729
22879	7590	12/02/2005	EXAMINER PARK, CHAN S	
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			ART UNIT 2622	PAPER NUMBER

DATE MAILED: 12/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center"><b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b></p>	<b>Application No.</b> 09/620,617	<b>Applicant(s)</b> SMITH ET AL.	
	<b>Examiner</b> CHAN S. PARK	<b>Art Unit</b> 2622	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 02 November 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.  
 b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
 (b) ☐ They raise the issue of new matter (see NOTE below);  
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

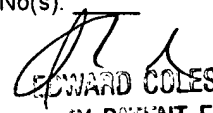
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
 5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
 6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
 7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
 The status of the claim(s) is (or will be) as follows:  
 Claim(s) allowed: \_\_\_\_\_.  
 Claim(s) objected to: \_\_\_\_\_.  
 Claim(s) rejected: \_\_\_\_\_.  
 Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
Applicant's arguments are not persuasive.  
 12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). \_\_\_\_\_  
 13. ☐ Other: \_\_\_\_\_.

  
 EDWARD COLES  
 SENIOR PATENT EXAMINER  
 ART UNIT 2600

***Response to Arguments***

1. The amendment filed 11/2/05 under 37 CFR 1.116 in reply to the final rejection has been considered but is not deemed to place the application in condition for allowance and will not be entered because:

a. Applicant's arguments are not persuasive.

In response to applicant's arguments regarding the definition of a term "form", the applicant states that the Examiner is obligated to apply in the claims the definition of the term (a form is an image that occurs more than once in a document) specially defined by the applicant in the Specification. MPEP 2173.05(a). Although one part of the Specification defines the term "form" as an image that occurs more than once in a document (page 1, lines 17-19 of the Specification), the original drawings clearly do not limit its definition to be it. Fig. 2, for example, defines a document 202 as a two page document having several forms (204, 206 and 208). It is evidently clear that neither form 206 nor form 208 occurs more than once in the document. Hence, the Office concluded, based on the Specification, that the "form" could be defined as an image that occurs only once in the document. Accordingly, the claims are given the broadest reasonable interpretation consistent with the specification. Again, if the applicant wishes the definition of the term to be clearly considered and limited only to the definition, it is requested to specifically add the particular definition into the current claims. Absence of such a recitation, Examiner can refer to fig. 2 of the Specification in interpreting the applicant's invention.

Furthermore, even if the definition is considered, Suzuki clearly shows that the same images occur more than once in a document. As shown in figs. 24 & 25, document (B) has same page printed more than once based on the print commands. Note that examiner applied the document defined in fig. 9 of the applicant's Specification in interpreting the term "document".

In response to applicant's arguments regarding the rejection of claim 8, wherein on pages 7 and 8, the applicant states, *"there is nothing in this sequence of events in Suzuki that teaches or suggests the converting and generating actions of claim 8."* Examiner agrees with the applicant in that there is no converting step for the print job saved after rasterizing according to Suzuki. However, Examiner is not relying on this feature. Rather, based on the parameter, the print job is either saved before the rasterization/conversion or the after the rasterization/conversion for the re-print/re-use of the print data (col. 2, lines 36-37). In other words, the parameter simply commands when the rasterization/conversion should take place for the print data. The rasterization/conversion eventually takes place in the printing process. The claim recites a step of converting into video data in response to the parameter being the first value and another step of generating video data in response to the parameter being the second parameter. Examiner previously stated that when the parameter is set to the first value (RipFileSave 56), the form is printed from the same video data, by converting (or rasterizing in col. 7, lines 12-17 & col. 8, lines 29-35) the named sequence into video data. Moreover, when the parameter is set to the second value (JobSave 54), the form

Art Unit: 2622

is printed from new video data, by generating (col. 8, lines 29-35) the new video data to print each instance of the form. It is apparent that the image data (or the video data) of the form, according to Suzuki, is generated (**col. 8, line 32**) by the rasterization/conversion process of the print job and this rasterization/conversion is clearly controlled by the parameter value (either RipFileSave 56 or JobSave 54). Hence, Suzuki teaches the steps of responding, converting and generating as recited in claim 8.

In response to applicant's arguments regarding the rejection of claim 10, wherein on page 8, the applicant states "*there is nothing in this sequence of events in Suzuki that teaches or suggests the two converting actions of claim 10.*" Examiner agrees with the applicant in that there is no converting step for the print job saved after rasterizing according to Suzuki. However, Examiner is not relying on this feature. Rather, based on the parameter, the print job is either saved before the rasterization/conversion or the after the rasterization/conversion for the re-print/re-use of the print data (col. 2, lines 36-37). In other words, the parameter simply commands when the rasterization/conversion should take place for the print data. Furthermore, when the print data first come in, the print control system analyzes/interprets the print data and creates/converts into job description files (col. 2, lines 38-49) based on the attributes/parameters in the print data. Then, a job description file display list data is generated accordingly to display/reflect the attributes/parameter of the job description files in the storage (col. 9, lines 33-59).

Art Unit: 2622

Hence, Suzuki teaches the steps of responding, converting and converting as recited in claim 10.

***Contact Information***


2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAN S. PARK whose telephone number is (571) 272-7409. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

csp  
November 30, 2005

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